

MEETINGS TO DATE 14
NO. OF REGULARS 13
NO. OF SPECIALS 1

LANCASTER, NEW YORK
JULY 6, 1982

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 6th day of July, 1982, at 8:00 P.M. and there were:

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
LEONARD E. GRZYBOWSKI, COUNCILMAN
DONALD E. KWAK, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
DOMINIC J. TERRANOVA, TOWN ATTORNEY
RICHARD J. SHERWOOD, DEPUTY TOWN ATTORNEY
ROBERT LABENSKI, TOWN ENGINEER
VIRGIL PAUL, HIGHWAY SUPERINTENDENT

BID OPENINGS:

None

PUBLIC HEARINGS:

None

OFFICIAL REPORTS:

None

COMMITTEE REPORTS:

None

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA . WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes of the meeting of the Town Board held
on the 21st day of June, 1982, as presented by the Town Clerk, be and hereby
are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN GRZYBOWSKI	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

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The resolution was thereupon unanimously adopted.

July 6, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS. the Town Board has, by resolution dated April 5, 1982, agreed to the establishment of a joint program as follows:

1. That the Town Board of the Town of Lancaster hereby approved the establishment of a joint program for Social Work/Counselor to work in the Town of Lancaster with Lancaster Central School children in response to a demonstrated need for such services in order to reduce juvenile delinquency, enhance educational and social opportunities for youth of the Town of Lancaster, and to reduce the impact of drug use, truancy, vandalism and juvenile pregnancy, and otherwise reduce the impact of social pressures upon single-parent youth, for the period commencing July 1, 1982 and ending June 30, 1983.

2. That funding for the program, at a total cost of \$20,000.00 shall be provided at 50% from the State Division for Youth, 25% from the Town of Lancaster to be drawn from the General Fund Account "Contingent Purposes", and 25% from the Lancaster Central School District.

3. That the Supervisor, with the assistance of the Town Attorney forward the approval and program application to the Lancaster Central School District and to Robert Gorman of Erie County Youth Services, and

WHEREAS, the Town Board has received assurance of participation in State funding by the Division for Youth of the State of New York and the Lancaster Central School District;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor be and hereby is authorized and directed to sign an Agreement for said program, to be drawn by the Town Attorney, providing for participation in said program by the Town of Lancaster, the Division for Youth of the State of New York and the Lancaster Central School District.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GRZYBOWSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, after several meetings, Erie County Northeastern Communities are desirous of entering an agreement to establish a Northeast Communities Solid Waste Management Board to investigate the implementation of the Erie County Solid Waste Implementation Plan dated December, 1980;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of Lancaster, that the Supervisor is hereby authorized to enter into and sign the joint municipal agreement creating the NORTHEAST COMMUNITIES SOLID WASTE MANAGEMENT BOARD , on behalf of the Town of Lancaster, and that pursuant to Section One of said Municipal Agreement, Councilman Leonard E. Grzybowski is hereby appointed to the Board of the Northeast Communities Solid Waste Management Board for the duration of the agreement as described in Section Five.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

~~duly~~
The resolution was thereupon unanimously adopted.

July 6, 1982

PREFILED RESOLUTION NO. 4

Kwak/_____ Approve Special Use Permit - Andrzejewski

At the request of Councilman Kwak, Prefiled Resolution No. 4 was withdrawn for further study.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GRZYBOWSKI , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 2087 to 2136 Inc.	\$93,738.05
Highway Fund	No. 1127 to 1150 Incl.	\$19,810.83
Trust & Agency Fund	No. 581 to 584 Incl.	\$ 2,081.06
Federal Revenue Sharing Fund	No. 374 to 379 Incl.	\$ 6,215.01
Capital Fund	No. 627 to 628 Incl.	\$ 245.68
Community Development Fund	No. 1080 to 1081 Incl.	\$ 192.65
Community Development Fund (Rehabilitation Escrow Account)	No. 124 to 124 Incl.	\$ 600.00

and,

BE IT FURTHER

RESOLVED, that the claim of Trost Fire Equipment for \$87.00 dated June 15, 1982 and the claim of of Mine Safety Applcance for \$105.65 dated June 21, 1982 be and is hereby approved and the Supervisor be and is hereby ordered to submit these claims for payment from Community Development Project No. 435313 Senior Citizens Barrier Removal, and

BE IT FURTHER

RESOLVED, that the claim of applicant and Sitarek Construction for \$600.00 dated June 29, 1982 , Grant No. 540-Special, Town of Lancaster, has been approved by the Community Development Program, and the Supervisor be and is hereby ordered to submit this claim from Community Development Rehabilitation Escrow Account.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

July 6, 1982

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN CZAPLA , WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GRZYBOWSKI , TO WIT:

RESOLVED, that the following Building Permit Applications be and
 are hereby approved and the issuance of Building Permits be and are hereby
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
101	Diamond Craft Homes	5390 William St.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
102	Paul Lostusiak	179 Cemetery Rd.	ER. FR. SIN. DWLG
103	Marrano Corp.	261 Warner Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
104	Marrano Corp.	255 Warner Rd.	ER. FR. BRK. VEN. SIN. DLWG, PVT. GARAGE
105	James Martina	5243 Genesee St.	ER. FENCE
106	Josela Enter.	3 Country Pl.	ER. FR. SIN. DWLG, PVT. GARAGE
107	Irene O'Neill	1428 Town Line Rd.	ER. FR. PVT. GARAGE
108	Paul Sugg	5248 Genesee	ER. FR. SHED

The question of the adoption of the foregoing resolution was duly
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

July 6, 1982

Councilman Kwak requested a suspension of the necessary rule for immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GRZYBOWSKI , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated June 29, 1982, has notified the Town Board that the Highway Department is faced with a major obstacle to the completion of present road work due to the loss of the use of Vehicle No. 82, a Ford Diesel Truck, due to an accident to this vehicle caused by the breaking of a rear axle, which resulted in materials falling into the rear housing and causing extensive damage to the rear housing, and

WHEREAS, the loss of the use of this truck causes a serious breakdown in the present road programming, which must be completed in the very limited construction season, and

WHEREAS, it is of the utmost importance that Vehicle No. 82 be repaired and placed in service as soon as possible, and

WHEREAS, the loss of use of Vehicle No. 82, in the middle of the short summer road construction period represents in the opinion of the Town Board a public emergency effecting the life, health, and safety of the inhabitants of the Town of Lancaster, and requiring immediate action which cannot wait competitive bidding within the meaning and intent of Section 103(4) of the General Municipal Law of the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent of the Town of Lancaster be and is hereby authorized to purchase, without competitive bidding, the necessary parts for repair of Ford Diesel Vehicle No. 82, owned by the Town of Lancaster, at a cost of \$4,995.00, all in accordance with the letter of the Highway Superintendent to the Town Board, dated June 29, 1982.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN GRZYBOWSKI	VOTED YES
COUNCILMAN KWAK	VOTED YES
SUPERVISOR KEYSA	VOTED YES

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The resolution was thereupon unanimously adopted.

July 7, 1982

STATUS REPORT ON UNFINISHED BUSINESS:

1. Dumping Permit Application - Walt's Tree Service
On April 16, 1981, the Planning Board recommended denial of this application. On April 20, 1981, the Town Board returned this application to the Planning Board for further review and recommendation.
2. Public Improvement Permit Authorization - Countryside Subdivision, Phase 1 (Josela)
The Town Board on October 1, 1979, authorized issuance of P.I.P. No. 75 (street lighting) and P.I.P. No. 76 (sidewalks) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
3. Public Improvement Permit Authorization - Country View East Subdivision, Phase 1 (Marrano)
On January 21, 1980, the Town Board authorized issuance of P.I.P. No. 77 (sidewalks) and No. 78 (street lighting) which have not yet been accepted by the Town Board. The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1982.
4. Public Improvement Permit Authorization - Heritage Hills Subdivision, Phase 1
The Town Board authorized issuance of P.I.P. No. 69 (street lighting) and P.I.P. No. 70 (sidewalks) which have not yet been accepted by the Town Board. The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
5. Public Improvement Permit Authorization - Woodview Estates Subdivision
The Town Board authorized issuance of P.I.P. No. 57 (sidewalks) and No. 58 (street lighting) which have not yet been accepted by the Town Board. There is no retention pond associated with this subdivision.
6. Special Use Permit - Edward Andrzejewski
On June 21, 1982, a Public Hearing was held on this matter and the Town Board reserved decision.
7. Street Lighting - New Subdivisions
On March 16, 1982, the Town Clerk wrote to the developers of Heritage Hills Subdivision, Country View East Subdivision, and Countryside Subdivision directing them to prepare their street light improvements for final inspection and acceptance by the Town Board.
8. Subdivision Approval - Lancaster Industrial Commerce Center
On May 12, 1981, the N.Y.S. Dept. of Audit and Control acknowledged receipt of Water, Sanitary Sewer, and Drainage District applications.
9. Subdivision Approval - Plumb Bottom Estates
On June 1, 1981, this matter was presented to the Town Board and referred to the Planning Board for review and recommendation.
10. Traffic Study - Genesee Street and Ransom Road
On July 13, 1981, the N.Y.S. Dept. of Transportation notified the Town Board that they will conduct this study as their caseload permits.

STATUS REPORT ON UNFINISHED BUSINESS CONT'D.:

11. Traffic Study - Green Arrows at Central and Walden Avenues

On March 20, 1982, the N.Y.S. Dept. of Transportation notified the Town Board that green arrows will be installed at this intersection.

12. Traffic Study - Speed Reduction on William Street

On May 20, 1982, the N.Y.S. Dept. of Transportation reported that they are re-evaluating this matter as their caseload permits.

PERSONS DESIRING TO ADDRESS TOWN BOARD:

None

COMMUNICATIONS:DISPOSITION

454. Town Clerk to Town Board - Resume of actions taken in regards to Town Board meeting held 6/21/82.	R & F
455. Nixon, Hargrave, Devans & Doyle to Town Clerk - Transmittal of Appearance and Complaint Objecting to Tentative Special Franchise Assessments on behalf of National Fuel.	TOWN ATTORNEY
456. Building Inspector to Town Board - Monthly report for June 1982.	R & F
457. Asst. Building Inspector to Town Board - Report of various Town building permits issued for period 1/1/82 - 6/24/82.	R & F
458. Building Inspector to Town Attorney - Request opinion on article pertaining to Italian building permit regulations.	R & F
459. Supervisor to Village of Lancaster Building Inspector and Fire Chief - List of steps to be taken to remedy items reported from inspection of Sr. Citizens Building.	R & F
460. Youth Bureau Dir. to Supervisor - Request permission for Chairman and Youth Counselor to attend N.Y.S. Youth Bureau's Annual Conference to be held in Rochester from 10/3-6/82.	TOWN CLERK FOR RESOLUTION 7/19/82
461. Supt. of Highways to Town Board - Request CSEA benefits be extended to foreman and mechanic foreman.	TOWN ATTORNEY
462. Supervisor to Chair., Governmental Affairs Committee, County Legislature - Transmittal of data and comments related to meeting of Urban County Consortium held on 6/24/82 concerning CD Block Grant Funds.	R & F
463. Town Clerk to Zoning Board Members, Building Inspector and Deputy Town Attorney - Transmittal of Legal Notice of public hearing to be held 7/8/82 regarding variance petitions of M/M Deutschlander and M/M Bastian.	PLANNING BOARD
464. ECSD No. 4 Counsel to ECSD No. 4 Chairman - Opinion concerning retained counsel to ECSD No. 4.	R & F
465. Highway Supt. to Police Chief - Notice of erection of five restricted parking for handicapped signs at various locations.	R & F
466. Biel's Microfilm Corp. to Town Clerk - Quotation for microfilming minute books from 1973 to 1981.	TOWN CLERK FOR RESOLUTION 7/19/82
467. Highway Supt. to Town Board - Request authorization to repair Ford Diesel.	ATTORNEY FOR SUSPENDED RESOLUTION
468. Town Clerk to Supervisor - Monthly report for June 1982.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

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| 469. N.Y. Telephone to Town Clerk -
Petition to review the Real Property Tax
Law pertaining to assessments referred to
in appendix. | TOWN ATTORNEY

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| 470. N.Y. Telephone to Town Clerk -
Petition to review the Real Property Tax
Law pertaining to assessments referred to
in appendix. | TOWN ATTORNEY

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| 471. N.Y. Telephone to Town Clerk -
Petition to review the Real Property Tax
Law pertaining to assessments referred to
in appendix. | TOWN ATTORNEY

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| 472. Duane K. Setter to Town Board -
Request permission to hold block party
on Ravenwood Dr. on 7/24/82. | CHIEF FOWLER

_____ |
| <p>The Supervisor requested a suspension of the necessary rule for
immediate consideration of the following communications -
SUSPENSION GRANTED.</p> | |
| 473. Buffalo Area Chamber of Commerce to
Supervisor -
Transmittal of letter sent to congressmen
objecting to U.S. Labor Department's revised
procedures for classifying labor surplus
areas. | R & F

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| 474. Youth Bureau to Supervisor -
Recommendation of two people for appointment
as tutors. | TOWN CLERK FOR
RESOLUTION

_____ |
| 475. Supervisor to County Dept. of Public Works -
Comments and suggestion regarding installation
of flood guages on various bridges. | R & F

_____ |
| 476. County Dept. of Personnel to Supervisor -
Transmittal of New Position Duties Statement
indicating Youth Counselor position. | TOWN ATTORNEY

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| 477. Supervisor to Buffalo Crushed Stone Inc. -
Request review of blasting methods per
complaint from Thaddeus Kwiatkowski. | R & F

_____ |
| 478. Crescent Homes to Town Board -
Petition to remove encroachment at
4 Woodstream Dr. | TOWN ATTORNEY

_____ |
| 479. Youth Bureau Ex. Dir. to Supervisor -
Recommendation of individual to position
of tutor. | TOWN CLERK FOR
RESOLUTION

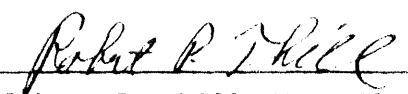
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ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 8:35 P.M. out of respect to:

VICTOR T. LIPINSKI, SR.
DOROTHY SCHRAEDER
ESTHER HOUT

Signed


Robert P. Thill, Town Clerk